

By Senator Altman

24-01715-10

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1 A bill to be entitled
2 An act relating to water resource protection; amending
3 s. 153.11, F.S.; conforming provisions to changes made
4 by the act; creating ss. 153.112 and 180.133, F.S.;
5 directing counties and municipalities, in cooperation
6 with water management districts, to conduct an
7 evaluation of primary water resources; authorizing
8 counties and municipalities to use funds collected for
9 water and sewage utility usage to help finance the
10 protection of such resources; authorizing counties and
11 municipalities to transfer funds to a district for
12 this purpose; amending s. 373.0831, F.S.; authorizing
13 water management districts to expend funds received
14 from counties and municipalities to protect water
15 resources; providing an effective date.

16
17 WHEREAS, public water utilities are the direct providers of
18 drinking water to the public, and

19 WHEREAS, public water utilities have an interest in
20 protecting water sources that are used by the utility, and

21 WHEREAS, acquiring and preserving lands that are integral
22 to protecting water sources serves an important county and
23 municipal purpose, and

24 WHEREAS, public water utilities should enter into
25 partnerships with water management districts in providing and
26 protecting a reliable and safe drinking water supply for the
27 public, NOW, THEREFORE,

28
29 Be It Enacted by the Legislature of the State of Florida:

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30
31 Section 1. Paragraph (b) of subsection (1) of section
32 153.11, Florida Statutes, is amended to read:

33 153.11 Water service charges and sewer service charges;
34 revenues.—

35 (1)

36 (b) After the system has ~~or systems shall have~~ been in
37 operation, the county commission may revise the ~~such~~ schedule of
38 rates, fees, and charges in order ~~from time to time~~. ~~Such rates,~~
39 ~~fees and charges shall be so fixed and revised as to provide~~
40 funds, including ~~with~~ other funds available for such purposes,
41 sufficient ~~at all times~~ to pay the cost of maintaining,
42 repairing, and operating the system, ~~or systems~~ including the
43 reserves for such purposes and for replacements, and
44 depreciation, and necessary extensions; to finance the
45 protection of water resources as provided in s. 153.112; ~~to pay~~
46 ~~the principal of and the interest on,~~ and related reserves for,
47 the water revenue bonds or ~~and/or~~ sewer revenue bonds as they
48 ~~the same shall become due; and the reserves therefor,~~ and to
49 provide a margin of safety for making such payments. The county
50 commission shall charge and collect the rates, fees, and charges
51 so fixed or revised, and such rates, fees, and charges are ~~shall~~
52 not ~~be~~ subject to supervision or regulation by any other
53 commission, board, bureau, or agency of the county or ~~of the~~
54 state or of any sanitary district or other political subdivision
55 of the state.

56 Section 2. Section 153.112, Florida Statutes, is created to
57 read:

58 153.112 Protection of water resources.—A county commission

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59 that uses state water resources for water supply purposes shall,
60 in cooperation with the relevant water management districts,
61 conduct an evaluation of water resources that might reasonably
62 be considered to be a primary source of water from which all or
63 part of the county's water supplies are derived. The evaluation
64 must determine if the water resources are adequately protected
65 from sources of pollution and from land uses incompatible with
66 their protection. If the evaluation determines that the resource
67 is not adequately protected, the county may use funds collected
68 under s. 153.11(1) to finance the protection of water resources
69 as provided in s. 373.016(3)(b) and (d), including the
70 acquisition of easements or fee interests to protect or restore
71 land where the water resource is located or from which it flows
72 or is recharged. The county may transfer funds to the water
73 management district for this purpose. Title to lands purchased
74 by a water management district pursuant to this section shall
75 remain with the water management district.

76 Section 3. Section 180.133, Florida Statutes, is created to
77 read:

78 180.133 Protection of municipal water resources.—The
79 governing body of a municipality that provides water utility
80 services that use state water resources for water supply
81 purposes shall, in cooperation with the relevant water
82 management districts, conduct an evaluation of water resources
83 that might reasonably be considered to be a primary source of
84 water from which all or part of the municipality's water
85 supplies are derived. The evaluation must determine if the water
86 resources are adequately protected from sources of pollution and
87 from land uses incompatible with their protection. If the

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88 evaluation determines that the resource is not adequately
89 protected, the municipality may use funds collected under s.
90 180.13 to finance the protection of water resources as provided
91 in s. 373.016(3) (b) and (d), including the acquisition of
92 easements or fee interests to protect or restore land where the
93 water resource is located or from which it flows or is
94 recharged. The municipality may transfer funds to the water
95 management district for this purpose. Title to lands purchased
96 by a water management district pursuant to this section shall
97 remain with the water management district.

98 Section 4. Subsection (5) is added to section 373.0831,
99 Florida Statutes, to read:

100 373.0831 Water resource development; water supply
101 development.-

102 (5) Water management districts may expend funds received
103 from county and municipal water utilities pursuant to ss.
104 153.112 and 183.166 for land acquisition and water resource
105 development projects that contribute to the protection of the
106 primary source of drinking water used by the utility. In
107 addition, the water management district may expend these funds
108 to acquire water resource protection lands identified by the
109 water management district pursuant to s. 373.199 or for water
110 resource lands identified for protection pursuant to a watershed
111 restoration plan adopted by the water management district.

112 Section 5. This act shall take effect July 1, 2010.